

United States Patent and Trademark Office



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,426	11/30/2001	Hiroshi Yasuda	7217/48794-RE/JHM/KJB	5969
75	7590 12/17/2004		EXAMINER	
Jay H. Maioli Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683 DATE MAILED: 12/17/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Og/988,426 XASUDA ET AL		Application No.	Applicant(s)			
Keith T. Ferguson 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2683 2						
The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions or them may be available under the provision of all STATUTION. If the period for reply appelline above is less than filtry (30) days, a reply while the statutory minimum of thinly (30) days will be considered timely. If the period for reply appelline above is less than filtry (30) days, a reply while the statutory minimum of thinly (30) days will be considered timely. If the period for reply appelline above is less than filtry (30) days, a reply while the statutory minimum of thinly (30) days will be considered timely. If the period for reply appelline above is less than filtry (30) days and will expire \$0.0 (0) MONTHS from the mailing date of this communication for reply while the statutory minimum of this communication. If the period for reply appelline to the statutory days and will expire \$0.0 (0) MONTHS from the mailing date of this communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline and the mailing date of the communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline the mailing date of this communication. If the period for reply appelline the mailing date of this communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline and the mailing date of this communication. If the period for reply appelline and the mailing date of the mailing date of the mailing date of the communication. If the period for reply appelline and the mailing date of the mailing date of the mailing date of the mailing da	Office Action Summary	Examiner	Art Unit			
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Paper No(s)/Mail Date 6) Other:	2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Mail Dat 5)	e			

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DETAILED ACTION

Reissue Applications

- 1. This application is objected to under 37 CFR 1.172(a) as the assignee has not established its ownership interest in the patent for which reissue is being requested. An assignee must establish its ownership interest in order to support the consent to a reissue application required by 37 CFR 1.172(a). The assignee's ownership interest is established by:
- (a) filing in the reissue application evidence of a chain of title from the original owner to the assignee, or
- (b) specifying in the record of the reissue application where such evidence is recorded in the Office (e.g., reel and frame number, etc.).

The submission with respect to (a) and (b) to establish ownership must be signed by a party authorized to act on behalf of the assignee. See MPEP § 1410.01.

An appropriate paper satisfying the requirements of 37 CFR 3.73 must be submitted in reply to this Office action.

Priority

2. Receipt is acknowledged of papers filed under 35 U.S.C. 119
(a)-(d) based on an application filed in the United States on
November 30, 2001. Applicant has not complied with the

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requirements of 37 CFR 1.63(c), since the oath, declaration or application data sheet does not acknowledge the filing of any foreign application. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.

Information Disclosure Statement

The references cited in the original patent must be cited in the reissue on a form PTO-892 or PTO-1449.

Conclusion

3. This application is in condition for allowance except for the following formal matters:

Reissue application objection, the statement of assent does not appear to have an authorized signature in accordance with MPEP 324 and 37 CFR 3,73(b), Priority - the foreign priority data is not identified in the declaration, and IDS - the references cited in the original patent must be cited in the reissue on a form PTO-892 or PTO-1449.

Prosecution on the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson Kuth June

December 9, 2004